

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.24210 of 2015

Arising Out of PS.Case No. -2892 Year- 2012 Thana -EAST CHAMPARAN COMPLAINT
District- EASTCHAMPARAN(MOTIHARI)

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1. Sabita Devi @ Savita Devi wife of Ram Babu Singh
 2. Kunwar Singh son of Late Laxmi Singh Both are resident of village- Barharwa, Police Station- Turkauliya, District- East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Paras Lal Singh son of Mahadeo Singh resident of village- Barharwa, Police Station- Turkauliya, District- East Champaran

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anil Kumar

For the Opposite Party/s : Mr. Indu Kumari Srivastav(App)

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR MANDAL
ORAL ORDER

2 10-07-2015 Heard the Counsel for the petitioners and Mr. Dayal, APP
for the State.

Two petitioners herein apprehend their arrest in connection with Complaint Case No. 2892 of 2012 registered under sections 406, 420, 323 and 504 of the Indian Penal Code and seek anticipatory bail.

Both parties appear to be agnates. The allegation is that Basudeo Bhagat took certain amount from the complainant to sell his land but later denied although entire consideration money was paid to him and endorsement of the amount was made by the Basudeo Bhagat.

Contention of the petitioners is that petitioner no. 1 is



the daughter of Basudeo Bhagat to whom the Basudeo Bhagat wanted to gift his land and in order to grab his property, certain documents have been created and lodged the case. Even if going by the allegation, it is Basudeo Bhagat to whom the amount was entrusted and he misappropriated the same amount and thereby the complainant is said to have been cheated. So far petitioner no. 2 is concerned, he has no concern with the land.

Under the facts and circumstances of the case, in the event of arrest or surrender in the Court below within four weeks, the petitioners abovenamed are directed to be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, East Champaran at Motihari in Complaint Case No. 2892 of 2012 subject to the condition as laid down under Section 438(2) of the Cr.P.C. with the further following conditions:

(i) One of the bailers shall be the own/close family members of the petitioners.

(ii) In case of framing of charge, the petitioners shall appear in person on each and every date fixed in the Court below. In case of default in doing so on two consecutive occasions without any cogent/satisfactory reason, the Trial Court shall have liberty to

cancel the bail bond of the petitioners and secure their arrest in accordance with law.

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(Kishore Kumar Mandal, J)

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